UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

IN RE LOWER MANHATTAN DISASTER SITE LITIGATION

THIS DOCUMENT APPLIES TO ALL LOWER MANHATTAN DISASTER SITE LITIGATION

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USDC SDNY
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DATE FILED: 1/28/08

21 MC 102 (AKH)

STIPULATION OF DISCONTINUANCE AND COURT ORDER

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for the parties to the actions listed in "Schedule A" attached hereto, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, the above-entitled actions be, and the same hereby are discontinued without prejudice as against THE BANK OF NEW YORK MELLON CORPORATION, As Successor To THE BANK OF NEW YORK COMPANY, INC., THE BANK OF NEW YORK, ONE WALL STREET HOLDINGS LLC, 4101 AUSTIN BLVD CORPORATION and THE BANK OF NEW YORK TRUST COMPANY, N.A., and as to the 130 Liberty Street locations only, without costs to either party as against the other.

IT IS FURTHER STIPULATED AND AGREED, that should evidence be discovered throughout the course of the litigation which determines that THE BANK OF NEW YORK MELLON CORPORATION, As Successor To THE BANK OF NEW YORK COMPANY, INC., THE BANK OF NEW YORK, ONE WALL STREET HOLDINGS LLC, 4101 AUSTIN BLVD CORPORATION and THE BANK OF NEW YORK TRUST COMPANY, N.A., is a proper party to these suits, plaintiff may reinstitute these actions without regards to the applicable statute of limitations as a defense.

This stipulation may be filed without further notice with the Clerk of the Court.

Dated: New York, New York December 14, 2007

> SEGAL McCAMBRIDGE SINGER & MAHONEY, LTD. Attorneys for The Bank of New York Mellon Corporation, as Successor to The Bank of New York Company, Inc., The Bank of New York, One Wall Street Holdings LLC 4101 Austin Blvd. Corporation, The Bank of New York

WORBY GRONER EDELMAN & NAPOLI BERN Attorneys for Plaintiff

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Trust Company, N.A.

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VIN K. HELLERSTEIN

SCHEDULE A

STIPULATION AND ORDER OF DISMISSAL RELATED TO 130 LIBERTY STREET COMPLAINTS FOR THE FOLLOWING PLAINTIFFS:

FOR THE POLLOWING PLAINTIFFS:		
Plaintiff Name	Index# All (AKH)	
Acosta, Byron	07CV1552	
	07CV4445	
Agudelo, Gladys	07CV4446	
Ali, Enrique	07CV01554	
Allivar, Raul	05CV9821	
Alvarez, Maria	05CV10135	
Alvarracin, Jose	07CV01556	
Asencio, Ivan	07CV,1460	
Atencia, Marcelo	07CV01562	
Bailon, Peter B.	07CV05336	
Barahona, Jose	07CV5550	
Betancourt, Hector	07CV4453	
Burgos, Leopoldo	07CV1473	
Caguana, Manuel	06CV11968	
Calero, Ivan	07CV1575	
Calle, Wilson	07CV01578	
Campoverde, Rey R.	07CV05280	
Campozano, Rodrigo	07CV4459	
Cardenas, Edison	07CV1580	
Castillo, Silvia	05CV1718	
Chuva, Nancy	07CV01589	
Cintron, Yolanda	06CV5631	
Cortez, Jorge E.	07CV05394	
Criollo, Nancy	07CV4462	
Dota, Clara	07CV01602	
Drake, Jesse	07CV05353	
Duarte, Inerva	07CV01603	
Dutan, Elvia and Wilfredo	07CV1606	
Encalada, Jorge	07CV1607	
Franco, Luis	07CV4466	
	Acosta, Byron Adriano, Luis Agudelo, Gladys Ali, Enrique Allivar, Raul Alvarez, Maria Alvarracin, Jose Asencio, Ivan Atencia, Marcelo Bailon, Peter B. Barahona, Jose Betancourt, Hector Burgos, Leopoldo Caguana, Manuel Calero, Ivan Calle, Wilson Campoverde, Rey R. Campozano, Rodrigo Cardenas, Edison Castillo, Silvia Chuva, Nancy Cintron, Yolanda Cortez, Jorge E. Criollo, Nancy Dota, Clara Drake, Jesse Duarte, Inerva Dutan, Elvia and Wilfredo	

	Rojas, Jaime	07CV4511
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71	Salazar, Victor	07CV4512
72	Sanchez, Edilberto	07CV05384
73	Sanchez, Rosa	06CV12488
74	Santamaria, Emanuel	07CV1528
75	Sarmiento, Edwin	07CV4515
76	Sarmiento, Galo	07CV1529
77	Serrano, Theresa	05CV8937
78	Siguencia, Raul	07CV1533
79	Suarez, Felipe	07CV1707
80	Samuel Sumba	07CV1710
81	Teham, Nicholas	07CV5564
82	Tenezaca, Julia	07CV1714
83	Teran, Cesareo	07CV05389
84	Thorpe, Jeanne	07CV1715
85	Vasquez, Rommel	07CV1543
86	Vazquez, Kattia	07CV1722
87	Vega, Severo	07CV4521
88	Villarroel, Segundo	07CV1546
89	Villarruel, Kleber (Paredes)	06CV13703
90	Walsh, Kevin	06CV12608
91	Waniurski, Robert	07CV4525
92	Watson, Ancil	07CV05391
93	Wragg, Clarence	06CV8125